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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,631	01/16/2003	Charlotte Hauser- Funke	KGB	3848

27384 7590 12/14/2004

NORRIS, MCLAUGHLIN & MARCUS, PA  
875 THIRD STREET  
18TH FLOOR  
NEW YORK, NY 10022

EXAMINER

LIETO, LOUIS D

ART UNIT	PAPER NUMBER
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1632

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/913,631

EXAMINER

ART UNIT

PAPER

20041207

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The reply filed on 10/11/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's response to the election/restriction requirement mailed on 9/09/2004 was incomplete because of applicant's failure to elect species from: (i) one of the eleven transgenes; and (iii) one of the seven additional sequences; see page 3 of the prior action. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement is traversed (37 CFR 1.143). See 37 CFR 1.111.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Lou Lieto whose telephone number is (571) 272-2932. The examiner can normally be reached on Monday-Friday, 9am-5 pm .

ANNE M. WEHBE PH.D.  
PRIMARY EXAMINER